

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to: All Cases

MASTER DOCKET

18-md-2865 (LAK)

**JOINT STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO FILE MOTIONS FOR SUMMARY JUDGMENT
AS TO BELLWETHER CASES**

WHEREAS the Court's Pretrial Order No. 29 (ECF No. 675) (the "Pretrial Order"), as modified by the Order of March 24, 2022 (ECF No. 745), requires the parties to file a joint Rule 56.1 statement on or before April 8, 2022, and, to the extent the parties disagree as to the contents of the joint Rule 56.1 statement, "supplemental Rule 56.1 statements as necessary" on April 15, 2022 (Pretrial Order ¶ 2.5);

WHEREAS the Pretrial Order further establishes the following deadlines with respect to motions for summary judgment as to bellwether cases:

Deadline to file motion for summary judgment: April 15, 2022;

Deadline to file oppositions to motions: May 23, 2022; and

Deadline to file replies: June 13, 2022;

Pretrial Order ¶¶ 2.6 – 2.8;

WHEREAS the parties have exchanged multiple drafts of joint Rule 56.1 statements, have had multiple conferences regarding the joint Rule 56.1 statement, and continue to cooperate towards the mutual goal of formulating a joint Rule 56.1 statement;

WHEREAS the parties believe that they need the benefit of an additional two-week extension in order to resolve a range of issues that will allow them to file the joint Rule 56.1 statement;

WHEREAS finalizing the joint Rule 56.1 statement is necessary for the parties to prepare motions for summary judgment;

WHEREAS further extending the deadline to submit the joint Rule 56.1 statement will affect the original briefing schedule set in the Pretrial Order;

WHEREAS there is no trial date set;

WHEREAS no party will be prejudiced by the modest extensions sought herein; and

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties that the current deadlines for filing Rule 56.1 statements and briefing motions for summary judgment are extended by two weeks as follows:

Last day to file joint Rule 56.1 statement: April 22, 2022;

Last day to file motions for summary judgment and supplemental Rule 56.1 statements:
April 29, 2022;

Last day to file oppositions to motions: June 6, 2022; and

Last day to file replies: June 27, 2022.

This is the parties' second request to modify the Pretrial Order and the first request to modify the schedule for briefing summary judgment.

Dated: New York, New York
April 1, 2022

By: /s/ Sharon L. McCarthy
Sharon L. McCarthy
KOSTELANETZ & FINK LLP

By: /s/ Marc A. Weinstein
(*e-signed with consent*)
Marc A. Weinstein

7 World Trade Center
New York, NY 10007
Telephone: (212) 808-8100
smccarthy@kflaw.com

HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, NY 10004
Telephone: (212) 837-6000
Fax: (212) 422-4726
marc.weinstein@hugheshubbard.com

By: /s/ Alan E. Schoenfeld
(e-signed with consent)
Alan E. Schoenfeld
WILMER CUTLER PICKERING HALE AND
DORR LLP
7 World Trade Center
New York, NY 10007
Telephone: (212) 230-8800
alan.schoenfeld@wilmerhale.com

*Counsel for Plaintiff Skatteforvaltningen
(Customs and Tax Administration of the
Kingdom of Denmark)*

Lead Counsel for Defendants

SO ORDERED:

Hon. Lewis A. Kaplan
United States District Judge